## Calendar No. 294

97TH CONGRESS 1ST SESSION

## H.R.4

## IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 9), 1981 Received; placed on the calendar

## AN ACT

- To amend the National Security Act of 1947 to prohibit the unauthorized disclosure of information identifying certain United States intelligence officers, agents, informants, and sources.
- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 That this Act may be cited as the "Intelligence Identities
- 4 Protection Act".
- 5 SEC. 2. (a) The National Security Act of 1947 is
- 6 amended by adding at the end thereof the following new title:

1 prosecution for conspiracy to commit an offense under such

2 section.

3 "(2) Paragraph (1) shall not apply (A) in the case of a

4 person who acted in the course of an effort to identify and

5 expose covert agents with the intent to impair or impede the

6 foreign intelligence activities of the United States by the fact

7 of such identification and exposure, or (B) in the case of a

8 person who has authorized access to classified information.

9 "(c) It shall not be an offense under section 601 to

10 transmit information described in such section directly to the

11 Select Committee on Intelligence of the Senate or to the Per-

12 manent Select Committee on Intelligence of the House of

13 Representatives.

14. "PROCEDURES FOR ESTABLISHING COVER FOR

15 INTELLIGENCE OFFICERS AND EMPLOYEES

16 "Sec. 603. (a) The President shall establish procedures

17 to ensure that any individual who is an officer or employee of

18 an intelligence agency, or a member of the Armed Forces

19 assigned to duty with an intelligence agency, whose identity

20 as such an officer, employee, or member is classified informa-

21 tion and which the United States takes affirmative measures

22 to conceal is afforded all appropriate assistance to ensure that

23 the identity of such individual as such an officer, employee.

24 or member is effectively concealed. Such procedures shall

25 provide that any department or agency designated by the

1	President for the purposes of this section shall provide such
2	assistance as may be determined by the President to be nec
3	essary in order to establish and effectively maintain the se
4	crecy of the identity of such individual as such an officer
5	employee, or member.
6	"(b) Procedures established by the President pursuant to
7	subsection (a) shall be exempt from any requirement for pub-
8	lication or disclosure.
9	"EXTRATERRITORIAL JURISDICTION
10	"Sec. 604. There is jurisdiction over an offense under
11	section 601 committed outside the United States if the indi-
12	vidual committing the offense is a citizen of the United States
13	or an alien lawfully admitted to the United States for perma-
14	nent residence (as defined in section 101(a)(20) of the Immi-
15	gration and Nationality Act).
16	"PROVIDING INFORMATION TO CONGRESS
17	"SEC. 605. Nothing in this title shall be construed as
18	authority to withhold information from Congress or from a
19	committee of either House of Congress.
20	"DEFINITIONS
21	"Sec. 606. For the purposes of this title:
22	"(1) The term 'classified information' means infor-
23	mation or material designated and clearly marked or
24	clearly represented, pursuant to the provisions of a
<b>25</b>	statute or Executive order (or a regulation or order

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